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7	UNITED STATES	DISTRICT COURT	
8	DISTRICT OF ALASKA		
9			
10	SEINE VESSELS RESERVE,	IN ADMIRALTY	
11	Plaintiff,	No.	
12	V.	COMPLAINT FOR DAMAGES	
13	ALASKA EAGLE, LLC, in personam; and F/V ALASKA EAGLE, OFFICAL NO.		
14	252152, HER ENGINES, MACHINERY,		
15	APPURTENANCES, AND CARGO, in rem,		
16	Defendants.		
17			
18	Plaintiff above named alleges as follows	:	
19	I. JUR	SIDICTION	
20	1.1. This is an admiralty claim within	the meaning of Fed. R. Civ. P. 9(h) and the	
21	general maritime law of the United States.		
22		isdiction over this claim pursuant to 28 U.S.C. §	
23		isdiction over this claim pursuant to 28 O.S.C. §	
24	1333.		
25			
	COMPLAINT FOR DAMAGES -1-	ZUANICH LAW PLLC U.S. BANK CENTRE 1420 5th Avenue, Suite 2200	

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Seattle, WA 98101

II. PARTIES AND VENUE

- 2.1 Plaintiff Seine Vessels Reserve ("SVR") is a voluntary association of fishing vessel owners. SVR, among other things, manages a fund comprised of contributions of member fishing vessel owners for the payment of losses or claims made by or against its members. SVR conducts business in Alaska.
- 2.2 Defendant Alaska Eagle, LLC, is an Alaska corporation and was at all material times conducting business in the State of Alaska. At all material times, this Defendant was the owner and/or operator and/or of the F/V ALASKA EAGLE.
- 2.3 The F/V ALASKA EAGLE is a fishing vessel documented by the United States, official number 252152. Said vessel has her homeport in the District of Alaska or will be found in the District of Alaska during the pendency of this action.
 - 2.4 Venue is proper is this Court pursuant to 28 U.S.C. §1391.

III. FACTUAL ALLEGATIONS

- 3.1 At all material times, Michael Patitucci was the owner of the F/V DENISE MARIE and a member of SVR.
- 3.2 On or about August 15, 2020, the F/V ALASKA EAGLE was travelling in Kupreanof Strait returning from the salmon fishing grounds to Kodiak. Suddenly, with no notice or warning, the F/V ALASKA EAGLE collided with the F/V DENISE MARIE near Whale Pass. The force of the collision caused the F/V DENISE MARIE to roll over and capsize.
- 3.3 Patitucci submitted a claim to SVR for the constructive total loss of the F/V DENISE MARIE, the cost of salvaging the vessel, and the cost of surveying and repairing the damage sustained by the vessel's skiff in the above-referenced collision.
- 3.4 Pursuant to the membership agreement between SVR and Patitucci, SVR is subrogated to Patitucci's *in personam* claims against Defendant and the *in rem* claims against the COMPLAINT FOR DAMAGES -2-

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F/V DENISE MARIE arising out of said collision.

IV. NEGLIGENCE CLAIM

- 4.1 Plaintiff incorporates by this reference the allegations of Sections I, II and III.
- 4.2 The aforesaid damage to the F/V DENISE MARIE and its skiff was proximately and solely caused by the Defendant's negligent navigation of the F/V ALASKA EAGLE. Such negligence includes, but is not limited to, Defendant's violation of one or more "Rules of the Road."

V. REQUEST FOR RELIEF

WHEREFORE Plaintiffs pray for judgment against Defendant as follows:

- 1. For the amounts paid to salvage the F/V DENISE MARIE, for the amounts paid to Patitucci for the constructive total loss of the vessel, for the costs incurred in surveying and repairing the F/V DENISE MARIE's skiff and for such other amounts as SVR may be obligated to pay under the membership agreement between SVR and Patitucci;
- 2. For arrest, condemnation and sale of the F/V ALASKA EAGLE, including her engine, machinery, appurtenances, and cargo;
 - 3. For prejudgment interest according to general maritime law;
 - 4. For Plaintiff's attorney's fees and costs of suit incurred herein;
 - 5. For such other and further relief as the Court may deem just.

1	DATED this 14th day of January, 2021.	
2		
3	ZUANICH LAW, PLLC	
4	By: /s/Robert P. Zuanich	
5	Robert P. Zuanich, ABA# 0605032 Brian C. Zuanich, ABA#1512129	
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COMPLAINT FOR DAMAGES -4-

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